

APPENDIX C

Correspondence



**US Army Corps
of Engineers**
Baltimore District

August 25, 2000

Public Notice

BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND FORTHCOMING RELEASE OF A SUPPLEMENTAL ENVIRONMENTAL ASSESSMENT

SUMMARY: The Baltimore District is announcing that it will prepare a supplemental environmental assessment (EA) for the ongoing project to provide improvements to the anchorages and branch channels within the Port of Baltimore. A plan drawing of the project showing the locations of the anchorages and channels is attached to this notice. This project is described in detail in the draft integrated feasibility report and environment impact statement (EIS) that was distributed to the public in January 1997. Subsequently, a final report and EIS was distributed in August 1997. The U.S. Congress authorized the project in the Water Resources Development Act (WRDA) of 1999. A record of decision for this project was signed by the Chief of Engineers in July 2000.

The purpose of this supplemental EA, which is expected to be released in draft form by the Baltimore District in September 2000, is to address the changes in the project design since the project's authorization. The changes are as follows:

1. The quantity of material that will be dredged will be reduced from approximately 4.4 million cubic yards to approximately 4 million cubic yards.
2. Anchorage 4 will be dredged to a depth of 35 feet mean lower low water (MLLW) not 42 feet as indicated in the EIS.
3. Anchorage 3 will be reconfigured to include two sections, an 1800-foot by 1800-foot, 42-foot deep section, and a 2200-foot by 2200-foot, 42-foot deep section.
4. The turning basin at the head of the Fort McHenry Channel will be moved slightly eastward so as to encompass an existing deep area, reduce dredging yardage, and provide safer access to the nearby piers.
5. The widening of the East Dundalk Channel will be dredged to 42 feet deep, not 38 feet deep as indicated in the EIS. The new depth corresponds to the depth that the State of Maryland now maintains in this channel.

The public is encouraged to submit its comments during this 30-day public notice period beginning on the date of this notice. Once the supplemental EA is completed, it will be made available to the public for 30 days to comment on the proposed changes to the authorized project. *Questions and comments should be directed to Mr. Daniel Bierly, at the Corps of Engineers, Baltimore District (ATTN: CENAB-PL-P), P.O. Box 1715, Baltimore, MD 21203-1715. Contact him by phone at (410) 962-6139 or 1-800-295-1610, by e-mail at daniel.m.bierly@usace.army.mil, or by facsimile at (410) 962-4698.*

SUPPLEMENTARY INFORMATION: The purpose of the Baltimore Harbor Anchorages and Channels Project is to provide improvements to existing anchorages and branch channels and an additional turning basin and branch channel for the Port of Baltimore. These improvements will enhance efficiency and safety in the Port of Baltimore.

The authorized project with the proposed changes will consist of:

1. A reconfigured and deepened Anchorage #3 (two sections each 42 feet deep -- one 2,200 feet long and 2,200 feet wide and the other one 1,800 feet long and 1,800 feet wide) at the north corner of the intersection of Fort McHenry Channel and the Dundalk West Channel area.
2. An enlarged and deepened Anchorage #4 (35 feet deep, 1,800 feet wide and 1,800 feet deep).
3. A turning basin at the head of the Fort McHenry Channel (50 feet deep and 1,200 feet wide and 1,200 feet long).
4. A widened East Dundalk Channel (42 feet deep and 400 feet wide with widening at the bends and entrance).
5. A widened West Dundalk Channel (42 feet deep and 500 feet wide with widening at the bends and entrance).
6. A widened Connecting Channel (42 feet deep and 500 feet wide with widening at the bends and entrances).
7. A second channel at South Locust Point Marine Terminal (36 feet deep and 400 feet wide with widening at the bends and entrance).
8. Placement of the estimated 4 million cubic yards of dredged material at the Hart-Miller Island dredged material containment facility.
9. Once these improvements have been implemented, the Federal government will assume maintenance of the Seagirt, Dundalk, and South Locust Point Channels.

The Baltimore District, U.S. Army Corps of Engineers, has applied for water quality certification from the State of Maryland. Any comments relating to water quality concerns should also be forwarded to the Maryland Department of the Environment, Standards and Certification, 2500 Broening Highway, Baltimore, Maryland 21224, within 30 days of the date of this notice.

ROBERT W. LINDNER
Chief, Planning Division
Baltimore District

2 Woodbine Circle
Elkton, MD 21921
August 27, 2000

Mr. Daniel Bierly
Corps of Engineers – Baltimore
P.O. Box 1715
Baltimore, MD 21203

Re: BALTIMORE HARBOR ANCHORAGES AND CHANNELS, MARYLAND

Dear Mr. Bierly:

Since the referenced project was authorized in WRDA-99, I presume that additional studies are currently in progress as part of the Preconstruction Engineering Design (PED) activities.

- A. Is that presumption correct?
- B. Is the cost-benefit analysis being reworked or revised as part of the PED activities? (especially in view of the scope revisions announced in the Public Notice of August 25, 2000.)
- C. What other studies are being performed as part of the PED efforts?
- D. What is the current schedule for completion of the PED phase, appropriation of funds, and construction?

In addition to answers to the foregoing questions, I would appreciate receiving a copy of the Record of Decision for the project that was signed by the Chief of Engineers in July. Also, as soon as the Supplemental Environmental Assessment for the project is released, please forward a copy to me at the above address.

Sincerely,


John M. Williams



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy Townsend
Lt. Governor

Harriet Tregoning
Secretary

Ronald N. Young
Deputy Secretary

October 18, 2000

Mr. Daniel Bierly
ATTN: CENAB-PL-P
Baltimore District
U.S. Army Corps of Engineers
P.O. Box 1715
Baltimore, MD 21203-1715

REVIEW AND RECOMMENDATION

State Application Identifier: MD20000828-0841
Description: Scoping prior to Supplemental Environmental Assessment - Baltimore Harbor Anchorages and Channels Project: Provide Improvements to Existing Anchorages and Branch Channels for the Port of Baltimore (see MD19970724-0750)
Applicant: U.S. Army Corps of Engineers
Location: Baltimore County
Approving Authority: U.S. ARMY
Recommendation: Endorsement

Dear Mr. Bierly:

In accordance with Presidential Executive Order 12372 and Code of Maryland Regulation 14.24.04, the State Clearinghouse has coordinated the intergovernmental review of the referenced project. This letter constitutes the State process review and recommendation. This recommendation is valid for a period of three years from the date of this letter.

Review comments were requested from the Maryland Departments of Business and Economic Development, Housing and Community Development including the Maryland Historical Trust, Natural Resources, Transportation and the Environment; Baltimore City and Baltimore County; and the Maryland Department of Planning. All reviewers responded and found this project to be **consistent** with their plans, programs, and objectives.

Summary of Comments:

The Maryland Historical Trust has determined that the project will have "no effect" on historic properties and that the federal and/or State historic preservation requirements have been met.

The State Application Identifier Number must be placed on any correspondence pertaining to this project. The State Clearinghouse must be kept informed if the recommendation cannot be accommodated by the approving authority. Please remember, you must comply with all applicable state and local laws and regulations. If you have any questions about the

Mr. Daniel Bierly
October 18, 2000
Page 2

comments contained in this letter or how to proceed, please contact the State Clearinghouse at 410-767-4490. Also please complete the attached form and return it to the State Clearinghouse as soon as the status of the project is known. Any substitutions of this form must include the State Application Identifier Number. This will ensure that our files are complete.

We appreciate your attention to the intergovernmental review process and look forward to your continued cooperation.

Sincerely,



Linda C. Janey, J.D.
Director, Clearinghouse & Plan Review Unit

LCJ:BR:mds

cc: DBED - Ernie Kent
DHCD - Erin Castaneda
DNR - Ray Dintaman
MDE - Joane Mueller
MDOT - Ronald Spalding

BCIT - Gloria Griffin
BLCO - Al Svehla
MDPC - Mary Abrams
MDPM - Aziz Mammad



Maryland Department of Planning

Parris N. Glendening
Governor

Kathleen Kennedy
Townsend

Harriet
Tregoning
Ronald N.
Young

MEMORANDUM

Please complete this form and return it to the State Clearinghouse upon receipt of notification that the project has been approved or not approved by the approving authority.

TO: **Maryland State Clearinghouse**
Maryland Department of Planning
301 West Preston Street
Room 1104
Baltimore, MD 21201-2305

DATE: _____
(Please fill in the date form completed)

FROM: _____
(Name of person completing this form.)

PHONE: (____) _____
(Area Code & Phone number)

RE: **State Application Identifier:** MD20000828-0841

Project Description: Scoping prior to Supplemental Environmental Assessment - Baltimore Harbor Anchorages and Channels Project: Provide Improvements to Existing Anchorages and Branch Channels for the Port of Baltimore (see MD19970724-0750)

PROJECT APPROVAL			
This project/plan was:			
<input type="checkbox"/> Approved <input type="checkbox"/> Approved with Modification <input type="checkbox"/> Disapproved			
Name of Approving Authority:			Date Approved:
FUNDING APPROVAL			
The funding (if applicable) has been approved for the period of			
_____, 200__ to _____, 200__ as follows:			
Federal: \$ _____	Local: \$ _____	State: \$ _____	Other: \$ _____
OTHER			
<input type="checkbox"/> Further comment or explanation is attached			



DEPARTMENT OF THE ARMY
BALTIMORE DISTRICT, CORPS OF ENGINEERS
P. O. BOX 1715
BALTIMORE, MARYLAND 21203-1715

REPLY TO
ATTENTION OF

November 27, 2000

Planning Division

Mr. J. Rodney Little
State Historic Preservation Officer
Maryland Department of Housing
and Community Development
Maryland Historical Trust
100 Community Place
Crownsville, Maryland 21032-2023

Dear Mr. Little:

The purpose of this letter is to provide an update on the continued cultural resource investigations for the Baltimore Harbor Anchorages and Channels Project, Maryland. This letter is a follow-up to our letters dated December 31, 1994 and October 11, 2000. Per telephone conversation, on November 17, 2000, Dr. Susan Langley of your office and Mr. Kevin Mainquist of the Baltimore District, agreed to the Baltimore District relocating the proposed turning basin such that the closest part of the basin is 150 feet away from Target 8, an acoustic anomaly identified in a Phase I remote sensing investigation.

In July 2000, the Baltimore District conducted a Phase I remote sensing investigation of a relocated turning basin across from Fort McHenry to the north-east of the originally planned location, as shown in the Enclosure. In our October 11, 2000 coordination letter, the District identified that a single acoustic side scan anomaly (Target 8) was identified as a possible barge vessel. No other substantial correlations were identified between the magnetic anomalies and side scan anomalies to suggest that the project area contains any other potential National Register eligible submerged resources.

This letter is to confirm that the Maryland Historical Trust agrees with the relocation of our proposed turning basin based on the Goodwin & Associates Phase I Report which was transmitted to you on October 11, 2000, and the November 17, 2000, telephone conversation with Mr. Kevin Mainquist.

We request your concurrence with our plan within 15 days of the date of this letter. If you have any questions regarding this matter, please feel free to contact me or my action officer, Mr. Stephen S. Israel, at (410) 962-0685.

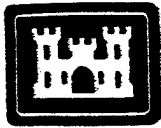
Sincerely,

Robert W. Lindner
Chief, Planning Division

Enclosure

*Dr. Langley, Maryland Historical Trust

The Maryland Historical Trust concurs with the decision to avoid Target 8 as outlined above.



US Army Corps
of Engineers
Baltimore District

August 25, 2000

RECEIVED
AUG 25 2000

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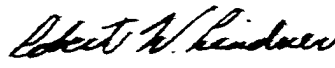
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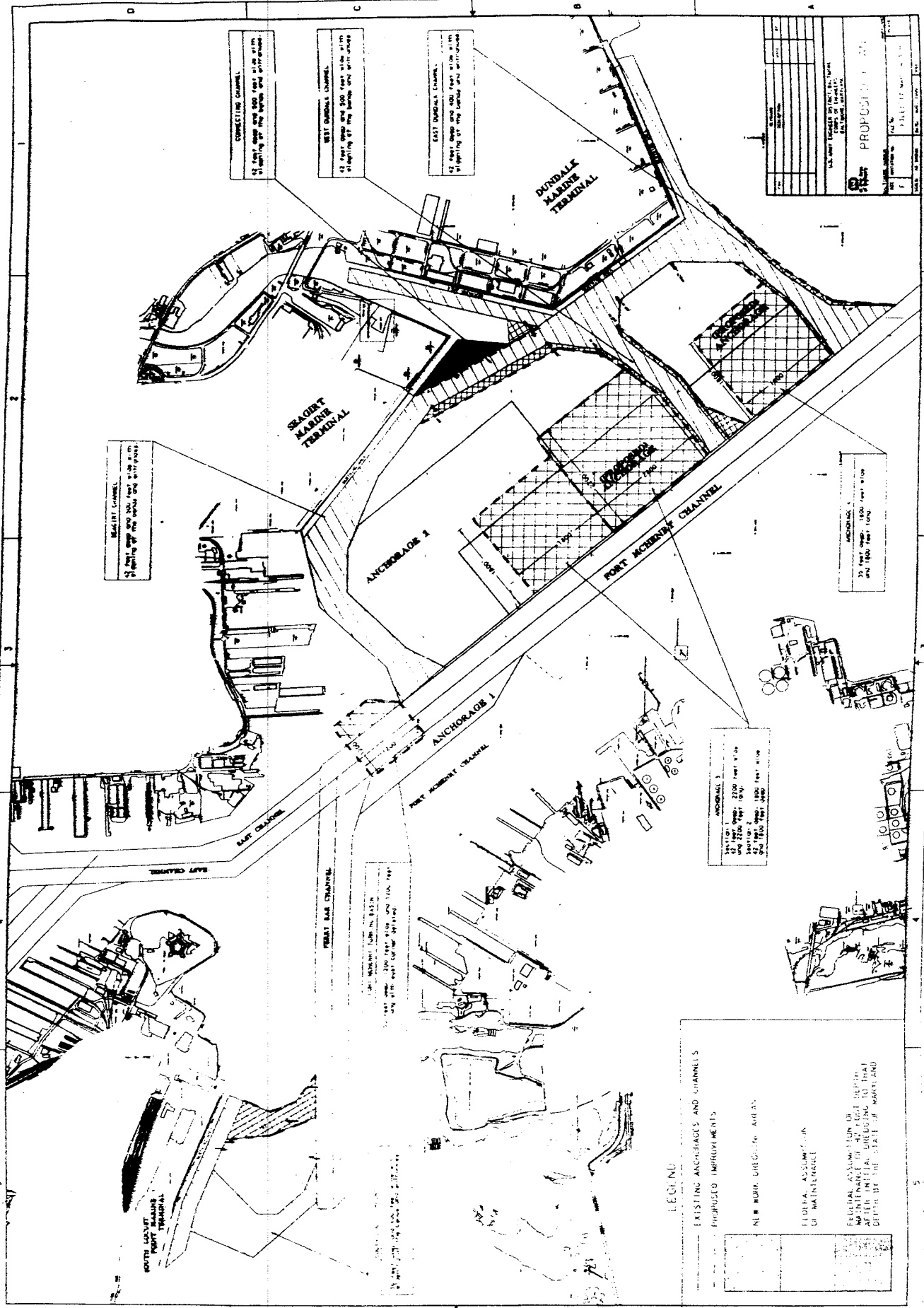
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A review of MHT files and your submittal indicates that this project is unlikely to affect significant historic and archeological properties.


ROBERT W. LINDNER
Chief, Planning Division
Baltimore District


Office of Preservation Services
Maryland Historical Trust

9-19-2000
Date



PROPOSED IMPROVEMENTS TO THE PORT MCHENRY CHANNEL	
DATE	JULY 1964
BY	U.S. ARMY CORPS OF ENGINEERS
FOR	U.S. NAVY
NO.	15-105711-100
SCALE	AS SHOWN
DATE	JULY 1964
BY	U.S. ARMY CORPS OF ENGINEERS
FOR	U.S. NAVY
NO.	15-105711-100
SCALE	AS SHOWN

CONNECTING CHANNEL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

WEST CHANNEL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

EAST CHANNEL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

SMART MARINE TERMINAL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

PORT MCHENRY CHANNEL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

ANCHORAGE 1
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

ANCHORAGE 2
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

ANCHORAGE 3
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

SOUTH LOSTPORT MARINE TERMINAL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

PORT MCHENRY CHANNEL
42 feet deep and 300 feet wide with
flaring at the ends and at anchorages

TELEPHONE CONVERSATION RECORD

DATE: March 5, 2001

FILE NAME: MDECAAphonecon

NAME OF PERSON(S) CONTACTED: Ms: Dianne Franks

ORGANIZATION: Maryland Department of the Environment

PHONE NO.: (410) 631-3250

SUBJECT: Compliance of the Baltimore Harbor Anchorges and Channels project compliance with the state implementation plan (SIP) of the Clean Air Act.

CONVERSATION SUMMARY:

Ms. Franks said that the revised project would be in compliance with the CAA SIP.

ACTION TAKEN: Documented conversation, provided copy to Office of Counsel

NAME OF PERSON DOCUMENTING CONVERSATION: Mark Mendelsohn

SIGNATURE:

A handwritten signature in black ink, appearing to read "M. Mendelsohn", with a long, horizontal, wavy line extending to the right.



MARYLAND DEPARTMENT OF THE ENVIRONMENT

2500 Broening Highway • Baltimore, Maryland 21224

(410) 631-3000 • 1-800-633-6101 • [http:// www. mde. state. md. us](http://www.mde.state.md.us)

Parris N. Glendening
Governor

Jane T. Nishida
Secretary

WATER QUALITY CERTIFICATION

NABOP - NOA: Draft Supplemental EA/
Baltimore Harbor Anchorages

CERTIFICATION 01-WQ-0010

PUBLIC NOTICE DATE March 7, 2001

TO: Operations Division
Baltimore District, Corps of Engineers
P.O. Box 1715
Baltimore, MD 21203-1715

RE: To conduct new work and maintenance dredging to provide improvements to existing anchorages and branch channels and an additional turning basin and branch channel. Approximately 3.9 million cubic yards of material will be dredged and placed at the Hart-Miller Island Containment Facility.

This water quality certification is issued under authority of Section 401 of the Federal Water Pollution Control Act and its Amendments and the Environment Article, Sections 9-313 - 9-323, inclusive, Annotated Code of Maryland. A copy of this required certification has been sent to the Corps of Engineers. This certification does not relieve the applicant of responsibility for obtaining any other approvals, licenses or permits in accordance with federal, State, or local requirements and does not authorize commencement of the proposed project. The Maryland Department of the Environment has determined from a review of the plans that the construction of this facility and its subsequent operation as noted herein will not violate Maryland's water quality standards, provided that the following conditions are satisfied.

The applicant shall comply with the conditions marked (X) below:

(X) (1) The proposed project shall be constructed in a manner which will not violate Maryland's Water Quality Standards as set forth in COMAR 26.08.02. The applicant is to notify this department ten (10) days prior to commencing work. Verbal notification is to be followed by written notice within ten (10) days.

(X) (2) The proposed project shall be constructed in accordance with the plan and its revisions as approved by the:

- (X) (a) Corps of Engineers
- () (b) Water Management Administration

(X) (3) All fill and construction materials not used in the project shall be removed and disposed of in a manner which will prevent their entry into waters of this State.

(X) (4) The applicant shall notify this Department upon transferring this ownership or responsibility for compliance with these conditions to another person. The new owner/operator shall request transfer of this water quality certification to his/her name.

(X) (5) The certification holder shall allow the Maryland Department of the Environment or its representative to inspect the project area at reasonable times and to inspect records regarding this project.

Page Two Water Quality Certification

() (6) Construction of any bulkhead shall be completed prior to filling behind the bulkhead. The bulkhead shall be constructed in such a manner so as to prevent the loss of fill material to waters of this State. Only clean fill, which is free of organic, metallic, toxic or deleterious materials shall be used.

() (7) The disturbance of the bottom of the water and sediment transport into the adjacent State waters shall be minimized. The applicant shall obtain and certify compliance with a grading and sediment control plan which has been approved by the:

- () (a) _____ Soil Conservation District or
- () (b) Erosion and Control Representative, Division of Environmental Services, Bureau of Highways, Department of Public Works of the City of Baltimore or
- () (c) The Department of the Environment, Water Management Administration or
- () (d) Montgomery County Department of Environmental Protection.

The approved plan shall be available at the project site during all phases of construction.

(X) (8) The spoil disposal area(s), including dikes where applicable, shall be constructed to limit the suspended solids content in the discharge to the waters of this State to four hundred (400) parts per million or less.

() (9) _____ shall be done only in the period _____.

() (10) Stormwater runoff from impervious surfaces shall be controlled to prevent the washing of debris into the waterway. The natural vegetation shall be maintained and restored when disturbed or eroded. Stormwater drainage facilities shall be designed, implemented, operated and maintained in accordance with the requirements of the applicable approving authority.

() (11) _____ shall provide to the Water Management Administration a stormwater management plan including cross-sections which incorporates effective pollutant removal strategies in uplands to treat a minimum of the first one-half inch of runoff from impervious surfaces prior to release of stormwater into State waters or wetlands. There shall be no discharge of untreated stormwater to State waters or wetlands. The plan shall be provided by _____ and shall be implemented by _____.

() (12) _____ shall provide to the Water Management Administration a mitigation plan for the construction of _____ acre(s) of _____ wetland for review and approval by _____. The plan shall be implemented by _____. The plan shall show:

- the source of hydrology for the constructed wetland
- the source and amount of soil to be used in constructing the wetland
- the species, size and density of vegetation to be planted in the constructed wetland and a planting schedule.
- a monitoring/maintenance plan.

() (13) _____ shall monitor the mitigation site for a period of five years and shall determine whether the wetland construction has been successful. A successful mitigation project shall result in: _____ plants/acre and 85% survivability of plants in forested and scrub/shrub wetlands and plants covering 85% of the area for emergent wetlands. If these standards are not met, _____ shall determine the reason(s) for failure, the problem(s) shall be corrected, and the area(s) shall be replanted and monitored.

() (14) The mitigation site shall be constructed in accordance with the plan, dated _____.

Page Three Water Quality Certification

() (15) _____ shall provide a
_____ plan for review and approval by
_____. This plan shall be implemented by
_____.

() (16) At least one culvert in every stream crossing shall be depressed at least one foot below existing stream bottom under the low flow condition. A low flow channel shall be provided through any riprap structures. The culvert shall be constructed and any riprap placed so as not to obstruct the movement of aquatic species.

() (17) Stormwater discharges from ponds, stormwater management outfalls, and stormwater facilities shall have a velocity no greater than four feet per second for the two year storm in order to prevent erosion in the receiving waterway or wetland.

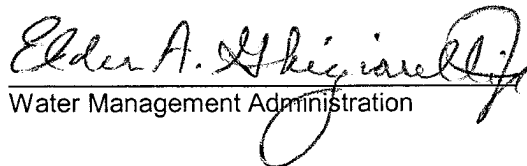
() (18) Future stormwater discharges to certified pond(s) are prohibited unless the first one half inch of stormwater runoff from impervious surfaces is managed in uplands for effective pollutant removal.

() (19) Authorized stormwater detention ponds shall have a maximum detention time of
_____ hours.

() (20) _____ shall restore and revegetate all temporarily disturbed waters and wetlands to original contours upon completion of construction.

Failure to comply with these conditions shall constitute reason for suspension or revocation of the Water Quality Certification and legal proceedings may be instituted against the applicant in accordance with the Annotated Code of Maryland. In granting this certification, the Department reserves the right to inspect the operations and records regarding this project at anytime.

CERTIFICATION APPROVED


Water Management Administration

10/25/04
Expiration Date